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Attorneys for Defendant  
 CONAGRA FOODS, INC.

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

LEVI JONES, CHRISTINE STURGES, and  
 EDD OZARD, individually and on behalf of all  
 others similarly situated,

Plaintiffs,

v.

CONAGRA FOODS, INC.,

Defendant.

Case No. 12-cv-1633-CRB

**STIPULATION AND ORDER  
 SETTING NEW BRIEFING  
 SCHEDULE AND HEARING DATE  
 FOR PLAINTIFFS' MOTION FOR  
 SEVERANCE**

The Hon. Charles R. Breyer

1 Plaintiffs and Defendant ConAgra Foods, Inc. ("ConAgra"), by and through their  
 2 respective counsel of record, enter into the following stipulation, based upon the recitals below:

3 1. On August 8, 2013, Plaintiffs filed a Motion For Severance Of Claims Of  
 4 Plaintiffs Levi Jones And Edd Ozard (Dkt. No. 127) ("Motion for Severance") set for hearing on  
 5 October 4, 2013 at 10:00 a.m. ConAgra's opposition is currently due August 21, 2013, and  
 6 Plaintiffs' reply is currently due August 28, 2013.

7 2. Counsel for the parties have conferred and agreed, subject to Court approval, to  
 8 jointly propose that the hearing and briefing schedule for the Severance Motion be modified to  
 9 have the same deadlines as those previously set by Court Order (Dkt. No. 118) for Plaintiffs'  
 10 motion for class certification; specifically, the parties propose that ConAgra's opposition to the  
 11 Motion for Severance be due October 9, 2013, and Plaintiffs' reply be due October 30, 2013.

12 3. The parties have further agreed, subject to Court approval, that the hearing date for  
 13 Plaintiffs' Motion for Severance be rescheduled to the same date as the hearing on Plaintiffs'  
 14 motion for class certification, i.e., November 15, 2013 at 10:00 a.m.

15 **IT IS SO STIPULATED.**

16 Dated: August 13, 2013

HOGAN LOVELLS US LLP

17 By: /s/ Robert B. Hawk  
 18 Robert B. Hawk  
 Attorneys for Defendant  
 CONAGRA FOODS, INC.

19 Dated: August 13, 2013

20 By: /s/ David Shelton  
 21 David Shelton  
 Attorneys for Plaintiffs

22  
 23  
 24 **SIGNATURE ATTESTATION**

25 I, Robert B. Hawk, attest that David Shelton has approved the Stipulation And [Proposed]  
 26 Order Setting New Briefing Schedule And Hearing Date For Plaintiffs' Motion For Severance  
 and consents to its filing in this action.

27 By: /s/ Robert B. Hawk  
 28 Robert B. Hawk

**ORDER**

PURSUANT TO STIPULATION, and good cause appearing, the Court orders that ConAgra's opposition to Plaintiffs' Motion for Severance is due October 9, 2013, and that Plaintiffs' reply is due October 30, 2013. The Court further orders that the hearing on Plaintiffs' Motion for Severance shall be on November 15, 2013 at 10:00 a.m.

IT IS SO ORDERED.

Dated: August 15, 2013

The Honorable C  
UNITED STATES

